

FILED

United States District Court

SEP 15 2006

MIDDLE

DISTRICT OF

ALABAMA

In the matter of the Search of

(Name, address or brief description of person, property or premises to be searched)

Christopher Dean Brown, B/M

DOB: 2/15/1972

Inmate at Draper Correctional Center, Elmore, AL

CLERK

U. S. DISTRICT COURT

MIDDLE DIST. OF ALA.

**APPLICATION AND AFFIDAVIT
FOR SEARCH WARRANT**

CASE NUMBER: 2:06mj91-DRB

I, Mark O. Fox being duly sworn depose and say:

I am a(n) Special Agent and have reason to believe that ☒ on the person of or ☐ on the property or premises known as (name, description and/or location)

Christopher Dean Brown, B/M, DOB: 2/15/1972, Inmate at Draper Correctional Center, Elmore, AL
in the Middle District of Alabama

there is now concealed a certain person or property, namely (describe the person or property to be seized)

SEE AFFIDAVIT

which is (state one or more bases for search set forth under Rule 41(b) of the Federal Rules of Criminal Procedure)

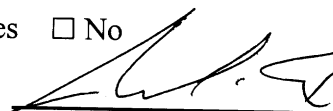
property that constitutes evidence of the commission of a criminal offense,

concerning violations of Title 18 United States Code, Section 2241(a)

The facts to support the issuance of a Search Warrant are as follows:

SEE ATTACHED AFFIDAVIT

Continued on the attached sheet and made a part hereof: ☒ Yes ☐ No



Signature of Affiant

Sworn to before me and subscribed in my presence,

September 14, 2006

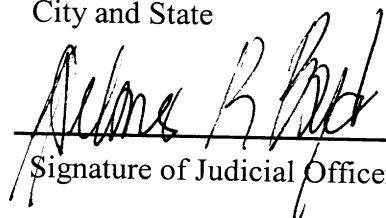
Date

at Montgomery, Alabama

City and State

Delores R. Boyd, U.S. Magistrate Judge

Name and Title of Judicial Officer


Signature of Judicial Officer

In the Matter

APPLICATION FOR SEARCH WARRANT
(Continuation)

The male DNA profile obtained from Ms. Hunt's clothing matches a DNA profile contained within the database of convicted offenders, which was identified as belonging to Christopher Dean Brown. Brown's DNA profile was entered into CODIS files by the Alabama Department of Forensic Sciences following his arrest and conviction on Alabama state rape charges. He is currently incarcerated at the Draper Correctional Center, Elmore, Alabama.

Upon his conviction in case numbers 38CC9800082700, 38CC9800082601, and 38CC9800082600, on September 24, 1998, for the respective crimes of rape, kidnapping, and attempted kidnapping in the state of Alabama, a blood sample was taken from Christopher Dean Brown. The forensic DNA profile the blood sample contained was submitted to CODIS and found to be identical to the male DNA profile identified in the clothing evidence examined in USACIL case number 1997-CID131-1615-R2/A1.

The blood sample taken from Christopher Dean Brown at the time of incarceration in the Alabama Department of Corrections for the convictions of rape, kidnapping, and attempted kidnapping on September 24, 1998, in Houston County, has been retained by the DNA Database. This sample was again analyzed for its DNA profile on September 20, 2005, and it was found to match the DNA profile obtained from the spermatozoa present in the evidence collected from Ms. Hunt on July 28, 1997, as well as the DNA profile contained in the DNA Database for offenders convicted of rape.

Based on the above information, there is probable cause to believe that Christopher Dean Brown was involved in the rape of Lisa Marie Hunt on July 28, 1997. Your affiant requests that authority be issued to seize a biological evidence sample from Christopher Dean Brown at Draper Correctional Center, Elmore, Alabama, before or on September 15, 2006.

Once a buccal swab sample (saliva swabbing) is obtained from Christopher Dean Brown with this search warrant, a DNA profile will be identified from it and compared to the DNA profile obtained from the evidence collected from Lisa Marie Hunt on July 28, 1997, after she was raped.



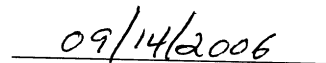
Issuing Official



Date



Affiant



Date

In the Matter

APPLICATION FOR SEARCH WARRANT
(Continuation)

I, Mark O. Fox, am employed as a Special Agent of the Naval Criminal Investigative Service. I have been a Special Agent for more than twenty-four years.

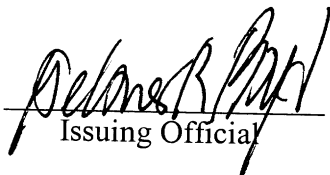
All information contained in this affidavit is information that is known to me or is information that has been provided to me by another law enforcement officer. All information in this affidavit is true and correct to the best of affiant's knowledge.

On July 28, 1997, Lisa Marie Hunt was seventeen-years old. On that date, she was forcibly raped at gunpoint by an unknown assailant, in an area of exclusive Federal jurisdiction aboard Marine Corps Base Camp Lejeune, North Carolina.

Ms. Hunt reported the rape that same date, July 28, 1997, and was examined, thereafter, at the Onslow Memorial Hospital, Jacksonville, North Carolina. During the course of the examination, a "Victim's Sexual Assault Evidence Collection Kit" was completed. The samples collected, along with the clothing worn by Hunt at the time of the rape, were collected by Naval Criminal Investigative Service Special Agent William C. Morris. The Sexual Assault Kit and clothing were submitted for forensic evidence examination to the U.S. Army Criminal Investigation Laboratory (USACIL).

On or about August 27, 1997, Forensic Biologist Thomas L. Overson's testing of the evidence submitted revealed the presence of spermatozoa. Mr. Overson's examination findings and data were generated for evidence examined in USACIL case number 1997-CID131-1615-R2/A1.

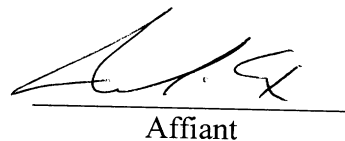
A male DNA profile was entered into the DNA Database files using a computer program called CODIS (Combined DNA Index System). The CODIS system is a computer database that can compare unidentified DNA profiles located in crime scene evidence with the DNA profiles of felons convicted of certain crimes. The CODIS system contains forensic crime scene or evidence DNA profiles and convicted offender DNA profiles contributed from state and local crime laboratories, the FBI, and the USACIL.



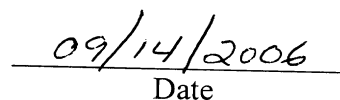
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Affiant



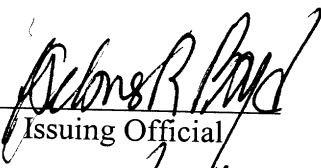
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In the Matter


APPLICATION FOR SEARCH WARRANT
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A reasonable amount of force by law enforcement personnel may be used to obtain this sample.

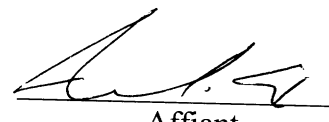
This affiant respectfully requests that this search warrant be signed and issued for the purposes of obtaining a DNA sample from Christopher Dean Brown.



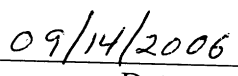
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Affiant



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